

OGC 71-0057

71-0177

7 JAN 1971

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : Recision of []
(Regulations under E.O. 10450,
as amended, Relating to Security
Requirements for Employment)

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1. This memorandum submits a recommendation for your approval. The recommendation is contained in paragraph 4.

2. In a memorandum to the Deputy Director for Support (Ref OGC 70-1660 dated 29 September 1970), the General Counsel recommended that [] be rescinded because he could not conceive of circumstances which would persuade the Agency to terminate under E.O. 10450 and [] procedures rather than under [] and []. He pointed out that the existence of [] and its procedural safeguards could jeopardize any litigation arising from a termination under another Agency regulation, if there are any security implications in such termination.

3. Section 3(b) of E.O. 10450, as amended, reads as follows: "The head of any department or agency shall designate, or cause to be designated, any position within his department or agency, the occupant of which could bring about, by virtue of the nature of the position, a material adverse effect on the national security as a sensitive position". In compliance thereof the following paragraph was included in [] "All positions in []

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the CIA occupied by staff employees are hereby designated sensitive within the meaning of Section 3(b) of E.O. 10450". When [] is rescinded, (coordination within the Agency leading to rescission is currently underway) the designation of sensitive positions should be restated. The General Counsel in his memorandum referred to above, suggests that a DDS memorandum could accomplish this.

4. It is recommended that you sign the attached memorandum designating all positions in CIA as sensitive. This would include not only positions occupied by staff employees but also detailees from other agencies, witting contract employees, consultants and summer-only positions.

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[]
Howard J. Osborn
Director of Security

Attachment

The recommendation contained in paragraph 4 is approved:

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[]
John W. Coffey
Deputy Director
for Support

19 Jan 1971
Date

Distribution:

Orig - Return to OS
2 - DDS, w/att